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LITTLE
BOAR'S
HEAD
DISTRICT



ANNUAL REPORT

1993 - 1994

August 15, 1994

Officers and Boards of the Village District of Little Boar's Head

As of August 15, 1994

Moderator:	A. Michael Burnell	1 year
Commissioners:	R. A. Southworth	1994
	James M.E. Mixter (1980) (Chairman)	1995
	Steve Fotheringham (1993)	1996
Clerk:	Harry I. Lauer	1 year
Treasurer:	John P. Begley	1 year
Auditor:	A. Michael Burnell	1 year
Board of Zoning Inspectors:	James M.E. Mixter	1994
	Steve Fotheringham (Chairman)	1995
	George Kinser	1996
Zoning Board of Adjustment: (5 year term)	Robert J. Dunkle (Chairman)	1994
	Walter E. Rogers	1994
	Jaqueline Mahoney	1995
	Ronald Martignetti	1995
	Deborah Schreck	1996
	John A. Sciaba	1996
	R.A. Southworth (Alternate)	1996
	Jerry Boggess (Alternate)	1997
Planning Board: (3 year term)	Jerry Boggess	1994
	R. A. Southworth (Chairman)	1995
	John McDaniels	1996
	Shan Atkins	1997
	Jurgen Demisch	1997
	Joan L. Dunfey	1997
Historic District Commission: (3 year term)	R. A. Southworth (Chairman)	1994
	Joan O. Dunkle	1994
	Clara F. Mixter	1994
	Jane Kent Rockwell	1994
	Phebe Mixter	1996
	Joan L. Dunfey	1996
Representative to the North Hampton Budget Committee:	Steve Fotheringham	1 year

The Village District of Little Boar's Head was formed by Act of the New Hampshire Legislature in 1905. It encompasses the seaward portion of the Town of North Hampton, NH

DISTRICT WARRANT

The State of
New Hampshire

County of
Rockingham

SS

To the inhabitants of Little Boar's Head, a Village District in the Town of North Hampton, New Hampshire, organized under the provisions of Chapter 196, Session Laws of 1905, qualified to vote in District affairs, greetings:

You are hereby notified to meet at Union Chapel, 7 Willow Avenue in said District on the first Tuesday in September next, being the sixth day of September, 1994 at 6:30 p.m. for the following purposes:

Article One: To elect a Moderator, a District Clerk, a Treasurer, and an Auditor for the ensuing year.

Article Two: To elect one Commissioner for a term of three years following the expiration of the term of Robert A. Southworth at the conclusion of this meeting.

Article Three: To hear the reports of the Clerk, the Treasurer, the Zoning Inspectors, the Zoning Board of Adjustment, the Commissioners and others, which reports are printed in this Annual Report, and to take such action as you may wish with regard to them.

Article Four: To see if the Village District will vote to accept in whole or in part the Village District Budget as has been submitted to the Municipal Budget Committee of the Town of North Hampton, and has been approved by them, which budget is included in this Annual Report.

Article Five: To take such action as the Village District may wish to give the Treasurer of the Village District authority to borrow money in anticipation of taxes upon the written request of at least two of the Commissioners, and to dispense the funds of the Village District with the approval of at least two of the Commissioners.

Article Six: To see if the Village District will authorize the Commissioners, or any two of them, to apply for, to accept, and to expend without further action by this Village District, moneys from the Federal Government, from the State of New Hampshire or from private sources in accordance with the provisions of Revised Statutes Annotated, Chapter 31.

Article Seven: To see if the Village District will authorize the Commissioners, or any two of them, to transfer funds from the Little Boar's Head Improvement Fund into the Operating Account, and/or to deposit funds from the Operating Account into the Little Boar's Head Improvement Fund, which Fund is administered by the Trustees of Trust Funds of the Town of North Hampton, as may be necessary to carry on the work of the Village District.

Article Eight: To see if the Village District will approve expending an amount of money, not to exceed two thousand dollars, to provide a matching fund in conjunction with the Fuller Foundation, for the proposed beautification project along Ocean Boulevard.

Article Nine: To raise and appropriate such sums of money as may be necessary for the purposes included in the Budget, including the extinguishing of fires, the lighting or sprinkling of streets, the planting and care of shade or ornamental trees, the supply of water for domestic or fire purposes, the construction and maintenance of main drains and common sewers, the construction, maintenance and care of parks and commons, the maintenance of activities for recreation, the control of pollen, insects and pests, the impoundment of water, the maintenance of roads, the appointment and employment of watchmen and police officers, the enactment and enforcement of zoning regulations, and all other miscellaneous District expenses for the ensuing year.

Article Ten: To transact such other business as may legally come before this meeting.

GIVEN UNDER OUR HANDS AND THE SEAL OF THE VILLAGE DISTRICT
this _____ day of August, 1994.

R.A. Southworth, James M.E. Mixer, Steve Fotheringham, Commissioners

A true copy, attest:

R.A. Southworth, James M.E. Mixer, Steve Fotheringham, Commissioners

AND WE DO CERTIFY that we have this day posted a true and complete copy
of the above DISTRICT WARRANT on the District Bulletin Board at Union Chapel
on Willow Avenue in said District and on a Bulletin Board in the North Hampton
Town Office, both being public places in the Town of North Hampton.

R.A. Southworth, James M.E. Mixer, Steve Fotheringham, Commissioners

REPORT OF THE ZONING INSPECTORS

8/14/93 through 8/13/94

PERMITS ISSUED

- | | | |
|----------|----|--|
| 08/14/93 | #1 | Dr. Kenneth Evans, 39 Ocean Blvd. New dwelling. |
| 08/20/93 | 2 | Mr. & Mrs. James Hurrell, 14 Ocean Blvd. Repair, enlarge Bath House. |
| 09/27/93 | 3 | Turner Porter, Atlantic Ave. Remodel interior. |
| 03/03/94 | 4 | Tyler Libby, 1 Willow Ave. Remodel interior. |
| 03/19/94 | 5 | Jim Finke, 11 Appledore Ave. Remodel interior. |
| 04/09/94 | 6 | Tom Leavitt, 14 Pond Path. Install swimming pool. |
| 05/01/94 | 7 | Fuller Gardens, Willow Ave. Remodel ticket shack. |
| 05/10/94 | 8 | Jeff McClure, 31 Old Locke Rd. Remodel interior. |
| 05/17/94 | 9 | Caroline Levine, 17 Pond Path. Install swimming pool. |
| 06/20/94 | 10 | Tyler Libby, 1 Willow Ave. Added remodel interior. |
| 07/18/94 | 11 | Ruth Viano, Viano Island. Remodel existing home. |
| 07/18/94 | 12 | K. H. Southworth, 19 Atlantic Ave. Restore Fish Houses. |
| 07/27/94 | 13 | Alan Perkins, 3 Bradley Ln. Foundation, roof repair Fish House. |
| 07/27/94 | 14 | Mary Marston, 2 Pond Path. Foundation, roof repair Fish House. |

Steve Fotheringham, Chairman
Board of Zoning Inspectors

REPORT OF THE ZONING BOARD OF ADJUSTMENT

8/15/93 through 8/14/94

Case 93:1 A hearing was held August 24, 1993 to consider the application of David Pope to expand the food menu at "Beach Plum" restaurant. By unanimous decision of the Board, the application was not accepted for re-hearing due to its classification as a "Subsequent Application".

No other cases were heard during the year.

Robert J. Dunkle, Chairman
Zoning Board of Adjustment

REPORT OF THE COMMISSIONERS

Greetings: We extend a warm welcome to several new families who have recently moved into Little Boar's Head. It is our hope that they will play active roles in our organization and help us maintain the unique quality of living that we enjoy here on the nicest spot on the New Hampshire seacoast.

Beautification: The Committee on Beautification, which was established at last year's annual meeting, has developed a plan to improve the appearance of several hundred feet of our seacoast east of Ocean Boulevard (1-A), north from the southern junction of Willow Avenue and Ocean Boulevard.

With the assistance of the Fuller Foundation a layout of planting and installation of rocks and benches has been submitted to and approved by the State Department of Transportation. The plan calls for improvement of the highway shoulder which work will be done this fall. The actual planting will be done next spring. The project will be financed partly by a two for one match generously provided by the Fuller Foundation.

We are delighted the garden by the Fish Houses was awarded first prize in the First Annual Seacoast Garden Trail Contest and Tour in the category of large public properties. This garden, designed, planted and maintained by the members of the Rye Beach-Little Boar's Head Garden Club and supported in part by the Village District is one of the show spots on the seacoast.

Thanks to Mrs. Rockwell and Mr. Knapp, the circle at the light where Atlantic Avenue and Rte. 1A intersect has been improved and will soon be as attractive as it was in years gone by.

We have replaced the fence at the entrance to Fifield Island at Ocean Boulevard and Appledore Avenue.

Our benches along Ocean Boulevard are in constant use providing a spot for rest and appreciation of the view. The last bench to the south has been dedicated in memory of William P. Fowler by his children. Mr. Fowler was our Commissioner and Moderator for more than fifty years.

Several trees on Willow Avenue have needed attention. Two of the dead trees have been cut down and new ones planted by the Town in cooperation with the adjoining landowner.

Zoning: In our residentially zoned area we have two non-conforming businesses (food outlets) which were "grandfathered" when Little Boar's Head Zoning ordinances were established in 1937. Restrictions on items served or offered for sale and areas allowed for business activities were upheld by the N.H. Supreme Court in a 1957 ruling. Over the years since then there have been controversies, violations and applications for zoning changes, including one last year that was rejected. Your district officers and boards - past and present - have consistently tried to uphold the spirit, intent and letter of our zoning ordinances in an even-handed and impartial manner so as to protect the integrity of our unique seacoast area while permitting grandfathered activities. We continue to do so despite continuing pressures both from business interests and residents. This situation is the principal reason for our recommended increase in the Village District Budget for legal expense.

Two manufactured houses have been placed on Appledore Avenue. Our zoning ordinance prohibits such housing (formerly called mobile homes), though State law requires towns to provide for manufactured housing in some if not all districts. We are a very small municipality with the much larger town of North Hampton which has considerable provision for such housing. In order to determine the enforceability of our zoning prohibition we have requested District counsel to seek a "Declaratory Judgment" from the Superior Court.

Sidewalks: We have repaired the southern portion of the walk in front of the Fish Houses. The material used is "RAP" - or reconstituted asphalt paving. It has proven satisfactory. Another repaired sidewalk is along Ocean Boulevard on top of the shale pile. The State has hot topped the sidewalk along Atlantic Avenue in an effort to improve handicapped access.

Traffic: Travellers in the Village District should be aware that the junction of Sea Road and 1-A has been changed from a two way turn to a one lane turn around the island.

Mosquitoes: The problem has been bad this year. We have looked into the matter of a mosquito control program and will report on our findings at the annual meeting.

Planning Board: This board has been appointed in accordance with the vote of last year's meeting. Rules of Procedure are in place, a map is available. We are now in the process of writing a Master Plan for the Village District. We are developing a survey by means of which the residents can indicate what directions they feel the District should go in the future.

Historic District: The first report of the Historic District Commission will be available at the Village District Meeting. Part of the cost of duplicating the report is a gift of Clara F. Mixer in memory of her father, William P. Fowler.

August 15, 1994

James M. E. Mixer
Robert A. Southworth
Steve Fotheringham
Commissioners

A REMINDER

The recent fire at one of the oldest Fish Houses gives reason to remind all residents to display house numbers sufficiently large and clearly visible from the street to facilitate efficient and prompt service from the North Hampton Fire and Police Departments in case of emergency.

PROPOSED BUDGET FOR 1994-1995

<u>Code</u>	<u>Item</u>	Budget 1993/1994	Estimated Actual <u>1993/1994</u>	Proposed Budget <u>1994/1995</u>
01	Sidewalks	4,000.	3,000.	2,500.
02	Street Lights	250.	0.	250.
03	Parks and Commons	4,000.	3,000.	3,000.
04	Legal and Zoning	1,500.	4,000.	5,000.
05	Printing, Mailing, Insurance	1,000.	750.	750.
06	Historic District	250.	1,000.	1,000.
07	Miscellaneous	500.	229.	500.
08	To LBH Improvement Fund	2,000.	4,000.	2000.
Totals		\$ 13,500.	\$ 15,979.	\$ 15,000.

July 11, 1994

James M. E. Mixer, Chairman
Robert A. Southworth
Steve Fotheringham
Commissioners

REPORT OF THE 1993 ANNUAL MEETING

VILLAGE DISTRICT OF LITTLE BOAR'S HEAD

Minutes of the Annual Meeting of the Village District of Little Boar's Head held in Union Chapel on Willow Avenue on September 7, 1993 and commencing at 6:30 p.m. Said meeting had been posted in two places: on the bulletin board outside Union Chapel and in the offices of the Town of North Hampton.

The meeting was called to order at 6:30 by the Moderator, A. Michael Burnell. He turned the meeting over to James M.E. Mixter, Commissioner. Mr. Mixter asked for the group to stand for a moment of silence in memory of two departed members of the community: William P. Fowler, who had been our moderator for 50 years and our commissioner for 67 years, and Herbert Philbrick who had been our moderator in recent years. The moment of silence was observed.

The Moderator took up the articles in the Warrant as follows:

Article One: The following were unanimously elected to District offices for 1993-94: A. Michael Burnell (Moderator), Harry Lauer (District Clerk), John P. Begley (Treasurer), and A. Michael Burnell (Auditor).

Article Two: Mr. Southworth announced that Nancy Hurrell would not be running for the position of commissioner at the conclusion of her three year term today. He thanked her for her service to Little Boar's Head. Mr. Jerry Boggess nominated Mr. Steve Fotheringham for the position of commissioner for a term of three years. The nomination was seconded, there were no further nominations and he was elected unanimously.

Article Three: The reports of the Clerk, the Treasurer, the Zoning Inspectors, the Zoning Board of Adjustment, and the Commissioners were printed in the Annual Report. There were no questions regarding these reports and the meeting accepted them as printed and placed them on file.

Article Four: The moderator asked the wishes of the meeting with regard to the budget for the ensuing year as printed on page 10 of the Annual Report. Mr. Southworth explained that the budget of \$13,500. was up from the previous year's budget of \$12,000. due to the necessity of repaying \$2,000. to the Little Boar's Head Improvement Fund which is held by the Trustees of Trust Funds for the Town of North Hampton. The budget was passed unanimously.

Article Five: The meeting approved the request to give the Treasurer authority to borrow money in anticipation of taxes with the written request of at least two Commissioners, and to dispense the funds with their approval.

Article Six: The Village District authorized any two of the Commissioners to apply, accept, and expend without further action by the Village District, funds from the Federal Government, the State of New Hampshire or from private sources in accordance with the provisions of Revised Statutes Annotated, Chapter 31.

Article Seven: This article enables the Commissioners, or any two of them, to transfer funds from the Trust Fund into the operating Account, and from the Operating Account into the Trust Fund. This article enables the Village District to maintain an Improvement Fund from which we have been able to withdraw funds for building and maintaining our sidewalk system. The article passed unanimously.

Article Eight: This article was to raise and appropriate money as may be necessary for the purposes included in the budget: Extinguishing of fires, the lighting of streets, the planting and care of shade or ornamental trees, to supply water for domestic or fire purposes, the construction and maintenance of main drains and common sewers, the construction, maintenance, and care of parks and commons, the maintenance of activities for recreation, the control of pollen, insects, and pests, the impoundment of water, maintenance of roads, the appointment and employment of security and police officers, the

enactment and enforcement of zoning regulations and all other miscellaneous district expenses for the ensuing year. This article passed unanimously.

Article Nine: The Commissioners explained that this article was necessary because of a change in the State law that stated, in effect, that zoning matters should originate with a Planning Board and not with a Zoning Commission as is currently done. Questions were raised as to the necessity for this change, and were directed to Michael Donahue, Precinct Counsel present at the meeting. Mr. Donahue explained the somewhat wider powers that a Planning Board has. He advised support of this article. Mr. Southworth stated that the same members who had served as the Zoning Commission as well as others would be appointed to the Planning Board. The article was passed unanimously.

Article Ten: Mr. Mixer introduced a resolution which set up a committee of three persons: one Commissioner, a representative from the Rye Beach-Little Boar's Head Garden Club, and three members at large to meet with the Town and State representatives to see if it would be possible to take some action to discourage and eliminate the illegal parking which occurs along the waterfront on US 1-A, particularly in front of the residences of Boggess, Bottomley and Swazey. It was pointed out that after the Rye sewer line was installed through the district, the land was replaced, re-sodded and re-seeded. However, before it had a chance to grow properly, parking along the road began to occur in ever increasing numbers. Southworth explained that the only way he knew of to stop the illegal parking was to place rocks along the roadside, but the State will not approve this. Mr. Dunkle (a member of the Town's Highway Safety Committee) explained that after the State had re-paved US 1 they had plans to re-pave US 1-A and would erect a "barrier" of some kind outside the highway. Mr. Knapp said he would hope any such barrier would not impair the natural beauty of the area. Mr. Mixer said that this was good news but he was doubtful as to when any such barrier might be put up and needed this resolution to prod the various agencies involved. His resolution called for the expenditure of up to \$2,000. by the Village District in the event that agreement could be reached with the State, such expenditure to go toward the re-sodding and re-seeding the area in question. The resolution (official copy of which is on file with the Office of the Clerk) was passed unanimously.

Mr. Mixer explained to the meeting that we had been contacted by a representative from FEMA (Federal Emergency Management Act) who explained the new guidelines that municipalities must take to comply with the new law regarding insurance in coastal wetlands. These guidelines are quite complicated and the Commissioners have decided that they would allow the Town to oversee this matter. The FEMA guidelines will be on file with the Clerk. The meeting concurred by unanimous vote to allow the Town to assume full control over and administration of FEMA guidelines.

The matter of the two manufactured houses located on Fifield Island was raised. Mr. Redmond asked if these two units had a permit and Mr. Mixer said they did, and it was dated October 2, 1989, and it stated that it was "to construct three dwellings ... on lots owned by the Savages on Fifield Island". Attorney Donahue spoke to the issue and stated that "the law is the law" and RSA 674:32 states that municipalities shall allow manufactured housing to be located on most but not necessarily all residential lands. Mr. Begley spoke on the matter and asked why the District was backing away from the problem. We have an ordinance which states "no mobile homes shall be permitted" (Section IX), and why can we not enforce it? Mr. Southworth recalled that when this particular article was passed (Zoning amendments in 1978) he had warned the Annual meeting that in his opinion it would be difficult if not impossible to enforce but the meeting wished to pass it anyway. After considerable discussion and more calls for enforcement, or going to court Now, it was decided to appoint a committee of one Commissioner, Mr. Fotheringham, and two residents from the area to meet with

the Commissioners and Precinct Counsel to explore this matter further and to take action if possible. The matter of a request for a "Declaratory Judgment" suggested by Attorney Donahue was one such possible action.

Mr. Hemstreet from Old Locke Road reported mosquitoes were a terrible problem and wished the District to take action. Mr. Mixer explained that spraying was totally ineffective, that larvaciding was the only route to go, that the Town had eliminated the entire mosquito control program under economic necessity. However, the commissioners said they would look into the possibility of taking some local action.

There being no further business the meeting was adjourned at 7:55 p.m. Fifty two persons were present.

Respectfully submitted,

Harry Lauer, Clerk

LITTLE BOAR'S HEAD IMPROVEMENT FUND REPORT OF THE TRUSTEES OF TRUST FUNDS

Balance on July 1, 1993	1,448.52
Interest received June, 1994	36.73
Received from District June, 1994	4,000.00
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Balance on June 30, 1994	\$ 5,485.25

Byron L. Kirby, Chairman
Trustees of Trust Funds
Town of North Hampton, NH

A DEBT OF GRATITUDE

After forty-eight years of steadfast service to the community, Robert A. Southworth is retiring as a Commissioner of Little Boar's Head after the Precinct Meeting. Since his return from service in the Navy during World War II, Bob has been involved in guiding the affairs of the Village District. Some of his special interests and contributions have been in the areas of Historic District, Planning Board, sidewalks, budgets, and relations with the Town.

We will miss his untiring efforts on behalf of the people and the land of Little Boar's Head and his knowledge of the history of our small community. It is expected that he will continue to be involved with special projects for the Village District. He leaves a legacy of good humor and a spirit of volunteerism which is a hallmark of our community.

TREASURER'S REPORT

For the fiscal year ending July 31, 1994

8/1/93	Balance on hand	\$1,851.97
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Receipts:

08/13/93	Beach Plum (zoning)	75.00
08/20/93	Town of N. Hampton, Taxes (92-93)	3,605.00
05/21/94	Town of North Hampton, Taxes	8,000.00
07/06/94	Town of North Hampton, Taxes	5,501.00

Total Receipts		\$17,181.00
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<u>Total to be accounted for</u>		\$19,032.97
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Expenditures:

Code 01	Sidewalks	
10/20/93	Ritchie, boardwalk up	216.00
10/29/93	Latham, boardwalk storage	75.00
06/04/94	Ritchie, repairs & boardwalk down	933.00
06/10/94	Iafolla, repair walk	546.95
07/18/94	Fitzgerald, repair Fish House walk	470.00
Total Code 01		\$2,240.95

Code 02	Street Lights	
01/31/94	Parsons Electric	46.60
Total Code 02		\$46.60

Code 03	Parks and Commons	
09/03/93	Lariviere, mowing	375.00
10/01/93	Lariviere, clean up	250.00
10/06/93	Burnell, pick up	84.00
06/06/94	Larivier, mowing	300.00
06/23/94	Ritchie, fence Appledore Ave.	646.00
07/06/94	Lariviere, mowing	345.00
07/18/94	Fitzgerald, gravel	50.00
07/18/94	Burnell, pick up	50.00
07/31/94	Lariviere, mowing	100.00
Total Code 03		\$2,200.00

Code 04	Legal and Zoning	
08/16/93	Martignetti, secretarial service	45.00
09/03/93	Rockingham Cty. News, notice	38.60
09/03/93	Butterworth, zoning books	134.59
11/29/93	Southworth, Planning Board Expense	14.09
12/27/94	Southworth, Planning Board Expense	25.00
09/10/93	Donahue, McCaffrey & Tucker	444.00
09/22/94	(counsel for the District)	1,066.20
11/28/93	"	403.00
02/14/94	"	120.00

Code 04	Legal and Zoning (continued)		
03/28/94	"	96.00	
04/15/94	"	24.00	
06/06/94	"	108.00	
06/24/94	"	143.00	
07/31/94	"	84.00	
Total Code 04			\$2,745.48
Code 05	Printing, Mailing, Insurance		
08/09/93	Dunkle, postage	28.35	
08/09/93	Postmaster, stamps	29.00	
08/16/93	PIP Printing, Annual Reports	389.90	
09/01/93	Hoyt's, stationary	84.00	
08/27/93	Mixer, postage	15.85	
09/03/93	Tobey, Merrill, Treasurer's bond	100.00	
11/01/93	Town of N.Hampton, insurance	100.00	
07/18/94	Mixer, postage	35.78	
07/22/94	Fotheringham, stamps	29.00	
07/31/94	Hoyt's, rubber stamp	16.56	
Total Code 05			\$828.44
Code 06	Historic District		
11/23/93	NH Assn. Historic Districts	20.00	
11/28/93	Southworth, photos	60.00	
12/03/93	Rockingham Planning Commission	39.00	
07/22/94	Southworth, photos	66.00	
07/31/94	PIP, HD First Report printing	2,171.66	
Total Code 06			\$2,356.66
Code 07	Miscellaneous		
04/29/94	Rye Beach/LBH Garden Club	400.00	
07/31/94	Bank charges for the year	36.52	
Total Code 07			\$436.52
Code 08	LBH Improvement Fund		
06/06/94	Return of amount borrowed	2,000.00	
06/29/94	Set aside for beautification project	2,000.00	
Total Code 08			\$4,000.00
Total Expenditures			\$14,854.65
July 31, 1994	Balance on hand		\$4,178.32
	<u>Total accounted for</u>		<u>\$19,032.97</u>

August 1, 1994

John P. Begley, *Treasurer*

AUDITOR'S REPORT

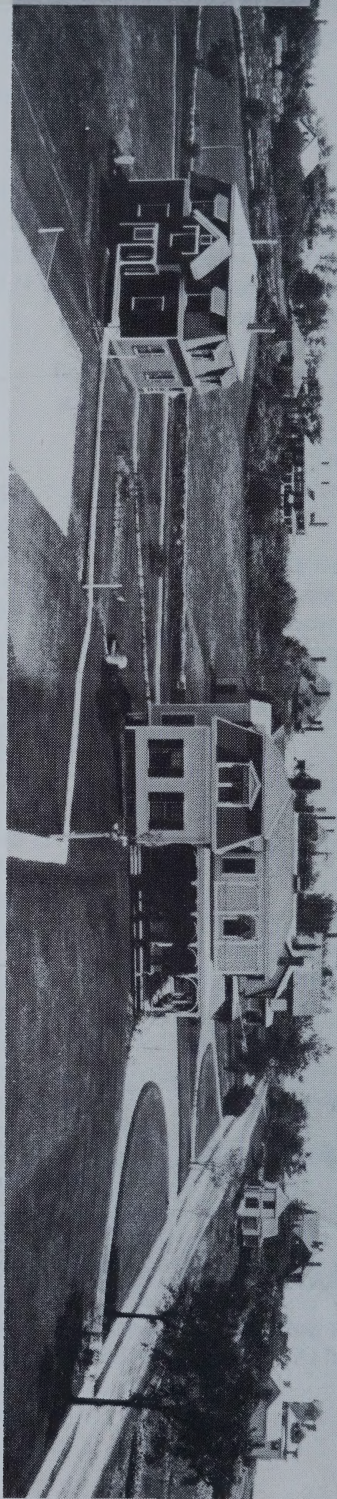
Having examined the books, accounts, and records of John P. Begley, Treasurer for the Little Boar's Head District, I certify that the books and accounts are correct.

August 06, 1994

A. Michael Burnell, Auditor
Little Boar's Head District



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Photograph of several buildings in Little Boar's Head taken from the cupola of Bachelder's Hotel in the 1890s. The house in the left foreground has been torn down. The house in the center foreground is currently owned by the Marsons. In the background from the left are Boynton's barn and the Sullivan and Mixter residences. In the right background is a smaller version of the Costello house, and to the left of that the former post office, now the residence of Jane Kent Rockwell. The hotel tennis court is now the site of the Reeves' residence.